

*Anthony Anushiem
Norristown State Hospital
1001 Sterigere St.,
Norristown, PA 19401-5397.
March 23rd, 2020.*

**UNITED STATES DISTRICT COURT
601 Market Street Room 2609, Philadelphia PA 19101**

.....
COMMONWEALTH OF PENNSYLVANIA

V.

**MOTION FOR
CHANGE OF VENUE**

CIVIL ACTION NO.

ANTHONY ANUSHIEM
Plaintiff in the
CP-23-CR-0002832-2014; &
CP-23-CR-0007434-2014 cases
.....

Anushiem's Motion for Change of venue:

1. **Jurisdiction:** Anushiem's illegal detention and unlawful mandatory mental health treatment without the due process of the law confers jurisdiction to this federal court, because a prisoner in illegal detention may have a judicial inquiry in a federal court to test the jurisdiction of the state court and to examine the record for the causes of his illegal detention and indefinite institutionalization.

2. United States district Court of Philadelphia has jurisdiction under 28 U.S.C. Sections 1331 and 1334(a)(3); 2201 and 2202; and also under 2283 and 2284 empowered by Rule 65

*District Court:
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of the Federal Rule of civil Procedure and with supplemental jurisdiction under 28 U.S.C. Section 1367 because the events given rise to these claims occurred under its jurisdiction in Delaware county and Montgomery county in this state of Pennsylvania.

3. Jurisdiction & Venue is appropriate in the United states district Court because Anushiem is preparing to file a writ of habeas corpus to include a section 1983/ Bivens Action for civil actions authorized by 42 U. S. C. 1883 to rederss deprivation (of freedom) , under color of state law, of rights secured by the constitution of the united states.
4. This federal court will find intentional prejudice because Anushiem is suffering intentional servitude that resulted from the concerted effort of the Delaware county court officials because the unfairness and partiality of these reported court officials (especially the judges: Karapalides, Nilon Jr., Mallon, Pegano and Coll) has been reported not only to the president judge, the court administrator but also to the Delaware county District Attorney: John Whelan. (See the Certificate of service of Anushiem's Rule 600 motions; Anushiem's 03/28/2016 Omnibus motion and Anushiem's 2832 case's PCRA petitions) but they all turned a blind eye.
5. After review of the 12/11/2019 court record this federal court will find out that the proceeding was initiated by counsel with ulterior purpose for the Norristown State Hospital # NSH's psychiatrists to testify before Judge coll to terminate Anushiem's NSH treatment not only to prevent Anushiem from having his requested counsel supervised psychiatric examination but also to prevent Anushiem from providing a vital impeachment evidence (of his competency) to show that he was illegally admitted not only because he

was not evaluated by the commonwealth's psychiatrist but also because the alleged charges the court intend to go to trial (for which Anushiem was illegally committed to receive treatment) tolled its statute of limitation before he was illegally admitted into NSH.

6. Court record (transcript) of 12/11/2019 will reveal that Anushiem was prevented by Judge Coll from raising his "Change of Counsel" motion claims, allowing counsel # Marybeth Welch to continue to prejudice Anushiem.
7. Docket entries of 12/17/2019 will reveal Anushiem's "change of Counsel" motion claims requesting the court to withdraw counsel # Marybeth Welch based on conflict of interest that caused her purposeful ineffectiveness.
8. Though the 12/11/2019 court hearing was illegally conducted but Anushiem was able to prove to Judge Mallon Coll that his speedy trial rights were violated by Judge mallon when he posted the 11/24/2015 "Criminal Notice trial 12/14/2015" without conducting the law mandated Rule 600 motion hearing and based on this Judge Coll hinted to the NSH's psychiatrist Dr. Babatunde that he will dismiss the alleged charges with prejudice.
9. This federal court will also find intentional prejudice because as Anushiem's change of counsel motion claims were still pending and because Judge Coll intended to dismiss the alleged charges through criminal conspiracy between Marybeth Welch and the district attorney, not only was Anushiem's change of counsel motion claims removed from the court record but the case was presented to a different judge.

10. The court proceeding of 03/13/2020 was conducted by Judge Osborne Ann, in which Anushiem challenged the proceeding because Anushiem's change of counsel motion claims are still pending. Judge Osborne wanted to conduct a change of counsel motion hearing but because she could not find Anushiem's change of counsel motion claims in the record, counsel told her that Anushiem was delusional, in violation of Anushiem's right to effective assistance of counsel she continued the court proceeding with the counsel reported to be burdened with conflict of interest.
11. Anushiem filed a Change of Venue: Because of the intentional violation of Anushiem's right to counsel Anushiem filed the attached "Change of Venue" motion claims in the open court requesting the Delaware court of common pleas to transfer his case to the United states district Court of Philadelphia.
12. Violation of Anushiem's confrontation Rights: Nsh's psychiatrists (Dr. Babatunde and Dr. Robert Thompson) testimonies were taken by the court in absentia after Anushiem has left the court without the due process of the law and without according him the confrontation rights to confront his accusers on matters of credibility.
13. After reviewing the attached "Change of Venue" motion claims filed with the court of common pleas this federal court will find out that Anushiem's confrontation rights were violated during the MJ-32133-CR-000176-2014 case's preliminary hearing because Judge karapalides denied Anushiem of all the benefits of the equal protection rights to defend himself. Anushiem was not only denied of the right to testify, call witnesses, and present evidence but Anushiem was also denied of the right to effective assistance of counsel because there is no cross-examination on the record the case was illegally re-assigned by

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a defective information sustained by a set forth "ex parte affidavits" prohibited by the due process right of the constitution.

14. The court of common pleas was divested of the subject matter jurisdiction to proceed in the CP-23-CR-0002832-2014 case but Judge Nilon Jr., not only intentionally ignored the jurisdictional errors by failing to quash the defective information but also illegally waived Anushiem's right to effective assistance of counsel when he by-passed Anushiem's change of counsel motion claims prior to trial to proceed to trial and by partial jury selection and by illegal waiver of the pre-sentence investigation and report illegally admitted insufficient evidence (the set forth ex parte affidavits) failed to satisfy himself that a factual basis existed that caused him to obtain an illegal criminal conviction and judgment of sentence,
15. The MJ-32133-CR-000415-2014 case's alleged charges was the poisoned fruit of the 2832 case's illegal criminal conviction and judgment of sentence and does not accord the commonwealth of the legal status and authority to indict the alleged charges of the MJ-32133-Cr-000415-2014 # CP-23-CR-0007434-2014 case based on the alleged violation of the 2832 case's illegal criminal conviction and judgment of sentence,
16. Judge Mallon not only abused his discretion for failing to dismiss the alleged charges based on lack of jurisdiction but he also tampered with the court record with intentional falsification (installing a fictitious counsel's name with ulterior purpose to illegally re-appoint the former counsel reported to be burdened with conflict of interest) committed legal malpractice by illegal appointment of counsels that caused the egregious delay that violated Anushiem's speedy trial rights, and

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17. Judge Mallon intentionally violated Anushiem's trial rights for failing to conducting the law mandated Rule 600 motion hearing (see Rule 600(e)) and by illegally posting the 11/24/2015 "Criminal Notice trial 12/14/2015" he caused the court to illegally admit Anushiem to Norristown state Hospital (when Anushiem lacked the criminal responsibility for the alleged offenses) with the ulterior purpose to cause cruel and unusual punishment.

18. Judge Pegano and Judge coll in evil collaboration not only failed to correct the apparent jurisdictional errors but illegally admitted a fabricated incompetency report (which clearly stated that Anushiem was not evaluated by the commonwealth's psychiatrist) not only to move Anushiem from the jail general population to the segregation of the maximum security but also to sustain an illegal involuntary order to indefinitely commit Anushiem into Norristown state Hospital with deliberate indifference to cause cruel and unusual punishment.

IF Anushiem is called forward, he will provide interrogatories against these reported judges to expatiate on these claims raised herein Anushiem's change of venue motion.

Questions of Arguable merits:

19. Whether the blatant conflict of interest the court caused Anushiem not only to suffer selective-prosecution but also caused Anushiem to suffer constructive denial of effective assistance of counsel all through his cases proceedings and

20. Whether Anushiem's illegal detention and indefinite institutionalization was a resolutely determined willful judicial misconduct orchestrated by the undue influence of the appearance of the impropriety of the Sims' family lawyer was with "deliberate indifference" and retaliatory motivation to punish Anushiem with cruel and unusual punishment requires this federal court investigation for judicial review, and judges discipline and to award Anushiem his requested state guaranteed reliefs as prescribed by the law.

21. All Anushiem's Pending Petitions claims are Procedurally Defaulted:

On review of Anushiem's pending 2832 case's PCRA/Habeas Corpus petitions claims this federal court will find out that Judge Nilon Jr., on showing vindictiveness against Anushiem he intentionally misapplied the Piscanio Principles to illegally waive both Anushiem's right to effective assistance of counsel and his constitutional right to impartial judge.

22. By Misapplication of the Unrelated Piscanio Principles judge Nilon not only illegally waived Anushiem's right to effective assistance of counsel when he dismissed Anushiem's change of counsel claims without any motion hearing. Piscanio Principles does not apply to this case because Anushiem's case was not on appellate review or on appeal with any higher court. Due to the superiority of the higher courts the Piscanio principles forbids

defendants from representing those claims (in the lower courts) that are already under higher court's review. The Supreme court laid down Principles for dealing with pro-se petitions can be found in the Commonwealth v. Gonzalez, 402 Pa. Super. 60; 587 A.2d 786 (1991); Commonwealth v. Ellis, 398 Pa. Super. 538; 581 A.2d 595 (1990); and in Commonwealth v. Jettles (on both the state and the federal court cases) states that:

"Whenever a defendant (who is represented by counsel) sends a pro-se petition the proper procedure is to forward the petition to the counsel, that the court should take no further actions. And that if the pro-se petition raises claims of counsel ineffectiveness that the court should direct the (reported) counsel to petition the court to re-present the defendant's counsel ineffectiveness claims for the court to review, to decide whether the defendant really needed the appointment of new counsel".

(23) Judge Nilon Jr., also Illegally Waived Anushiem's right to impartial judge by misapplication of the Piscanio unrelated principles he also dismissed Anushiem's motion for the court to recuse itself with claims requesting him to remove himself from the case based on his intentionally committed prosecutorial errors during the 2832 case's pretrial and trial proceedings;

(24) By illegal Substitution of Judges: Judge Nilon imposed into Anushiem's 7434 pretrial case in the mental health court division (Judge Coll) to intercept and dismiss Anushiem's motion claims with the ulterior purpose not only illegally stay all criminal proceedings with the alleged incompetency to stand trial in order to procedurally default all Anushiem's pending claims by holding Anushiem indefinitely in involuntary servitude (with the illegal stay of criminal proceedings) to prevent him from receiving his requested state guaranteed reliefs;

(25) Anushiem is suffering from constructive denial of effective assistance of counsel because the present record evidence will also show that the court has intentionally conducted two court proceedings by-passing Anushiem's "change of counsel motion claims without conducting any

motion hearing to review Anushiem's counsel ineffective/conflict of interest claims in violation of the court's jurisdiction to intentionally prejudice Anushiem.

(26) The certificate of service of all Anushiem's pending motions claims ((i) Anushiem's 2832 case's PCRA/Habeas Corpus Claims; (ii) Anushiem's Pending Rule 600 motions claims and also (iii) Anushiem's Omnibus petition claims of 03/28/2016) will show criminal conspiracy that these court officials are operating in concert because Anushiem have reported these intentional prejudice to the president judge; the court administrator and the Delaware county District Attorney and they all turned a blind eye to injustice with deliberate indifference to illegally hold Anushiem indefinitely in illegal detention and illegal mental health treatment since 2014 without the due process of the law to cause cruel and unusual punishment.

(27) Whether Anushiem's illegal detention and unlawful mandatory mental health treatment without the due process of the law confers jurisdiction to this federal court, and whether a prisoner in illegal detention may have a judicial inquiry in a federal court to test the jurisdiction of the state court and to examine the record for the causes of his illegal detention and indefinite institutionalization is not in dispute.

(28) The attached Change of counsel motion claims with Anushiem's Change of Venue motion claims have sufficiently disturbing evidence to warrant this federal court to take appropriate action.

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(29) WHEREFORE, Anushiem now humbly requests this federal court to issue an order compelling the Delaware county court of common pleas pursuant to 42 PA. C. S. A section 5329 to transfer all documents relating to service of process to the united states district Court of Philadelphia for the United sates District court to assume quassi-original jurisdiction not only because it is entitled to do so as a higher court with supervisory power for its jurisdiction ~~but also~~ because Anushiem's last known resident address was in north Philadelphia, but also to stop this lower court from further proceedings on these reported cases because Anushiem is preparing to file a writ of habeas corpus to include a section 1983/Bivens Action for civil actions authorized by 42 U. S. C. 1883 to rederss deprivation (of freedom) , under color of state law, of rights secured by the constitution of the united states.

Date: March 23, 2020

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read 'Anushiem', is written over a horizontal line.

ANTHONY ANUSHIEM

Anthony Anushien
Norristown State Hospital
1001 Steigemeier Street
Norristown, PA 19380
March 16th, 2020

Judge Osborn
Mental Health Court
Court of Common Pleas

Your Honor,

Re: Anushien's Change of Counsel Motion Claims:

Attached docket entries of 12/17/2019 will confirm that Anushien's 12/13/2019 filed change of counsel motion claims were intentionally removed from the Court record with the ulterior purpose to prevent you from conducting a change of counsel motion hearing and to illegally proceed allowing this reported counsel bordered with conflict of interest to prejudice Anushien because the Court not only denied Anushien of effective assistance of counsel rights but also illegally conducted the court hearing in Anushien's absence without due process denying him of his confrontation right to confront the PSY's Psychiatrist's testimonies on matters of credibility.

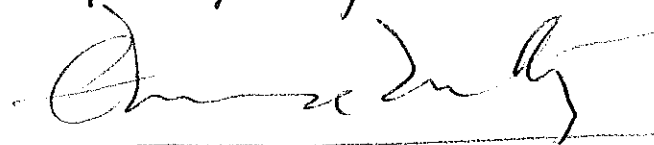
Based on the claims raised on Anushien's Change of Venue motion and the issues raised concerning purposeful ineffectiveness of Counsel and the illegal tampering of Court record to remove Anushien's Change of Counsel motion claims, Anushien humbly request that you grant his "Change of Venue" motion claims to transfer both cases to the

United States District Court
Philadelphia

For this Federal Court to conduct ^{inquiry} judicial into the causes of Anushien's illegal detention and unlawful institutionalization and to grant him fair justice as required by law.

Date: 03/16/2020

Respectfully Re-submitted



ANTHONY ANUSHIEN

Anthony Anushiem
 Norristown State Hospital
 1001 Sterigene St.
 Norristown, Pa. 19401-5397.

IN THE COURT OF COMMON PLEAS OF
 DELAWARE COUNTY, MEDIA, PA. 19603

COMMONWEALTH OF PENNSYLVANIA

Appellee

V.

ANTHONY ANUSHIEM

Appellant

Docket Entries:

CP-23-CR-0002832-20M

&

CP-23-CR-0007434-20T4

ANUSHIEM'S CHANGE OF COUNSEL MOTION CLAIMS:

Due to Judge Coll's refusal to allow Anushiem to raised his Conflict of interest and purposeful ineffectiveness claims in the Court hearing of 12/11/2019 to withdraw Counsel: Marybeth Welch, Anushiem is hereby writing these change of Counsel motion claims to memorialize it in the record.

(I) Illegal Representation Without the Appointment of the Court:

The record evidence will reveal that while Anushiem's Change of Counsel motion claims to withdraw former counsel Ben Arik based on conflict of interest and purposeful ineffectiveness, was still pending and without leave granted to him by the

count to with draw, Ben Arick legally obligated his associate Marybeth Welch to continue his ineffective representation.

Narristown State Hospital (NSH) 06/07/2019 will reveal that on Marybeth Welch's first visit based on Anushien Requested Counsel Supervised Psychiatric Examination, she was rejected by Anushien. Anushien rejected her Counsel representation not only ~~been~~ to avoid Ben Arick's Buffer of interest and powerful ineffectiveness but also because Marybeth Welch was without Court Appointment Letter / orders. The Record evidence of 06/19/2019 will reveal Criminal Conspiracy because at Ben Arick's withdrawal Marybeth Welch was appointed as Counsel.

(2) Counsel's Indifference to Anushien's Raised Jurisdictional Errors in the Record:

On her second visit to NSH, Anushien conferred with Counsel: Marybeth Welch to bring her up to the status of the case by pointing out all the informationally committed errors that violated Anushien's constitutional rights.

(1) Violation of Anushien's Confrontation rights
during the Mf-32733-CR-00176-2074

Case in which Judge Rumpff was denied Annsham of all the benefits of the equal protection rights to testify, call witnesses, present evidence and also to cross-examine the prosecutor's witness

(ii) Due to the lower Court's failure to establish a prima facie case the Court of Common pleas not only illegally proceeded with the CP-23-CR-0002832-2014 case without the subject matter jurisdiction but Judge Wilson for illegally waived Annsham's 08/26/2014 "Change of Counsel" motion claims without any motion leaving in the record allowing Jeffrey Bauer to intentionally prejudice Annsham during the partial jury selection and illegal waiver of the presentence investigation and report to the ultimate purpose to obtain an illegal Criminal Conviction and judgment of Sentence

(iii) Judge Malton was fully aware that the CP-23-CR-0007434-2014 case's alleged Criminal charges was the "poisoned fruit" of the evil tree illegally indicted based on the alleged violation of the CP-23-CR-0002832-2014 Case's illegal Criminal Conviction and judgment of Sentence, but intentionally committed legal malpractice in the record for falsification of the 02/16/2015 docket entry with a fictitious Counsel's name with the

Afterward purposed to re-appoint former Counsel (Alex Anovaro reported to be troubled with conflict of interest) and without officially appointing a new Counsel: Brian Crondek. These illegal appointment of counsels caused egregious delay of trial that violated Anushkin's speedy trial rights.

(iii) After proving Brian Crondek's conflict of interest the related docket entries of 10/13/2015 will reveal that Rule 606 motion hearing was re-scheduled for 11/27/2015 based on appointment of a new Counsel.

(iv) 11/24/2015 Docket Entries will reveal Judge Mallois alarm of disrepute by posting a "Criminal Notice That 12/15/2015" to illegally proceed to trial without Rule 606 motion hearing.

(v) Fully aware that Anushkin's Rule 606 motion claims were still pending, Judge Paganis illegally admitted a fabricated incompetency report that clearly stated that Dr. Lazanoff (the Commonwealth's psychiatrist) did not attend to Anushkin as a patient to illegally transfer Anushkin's cases from the Criminal Court division to the Mental Health division.

(vi) Judge Coff during the pendency of 11/28/2016 Anushkin's motion to withdraw Andrew Goldberg not only allowed him to prejudice Anushkin

in the allegedly conducted incompetency hearing but also denied Anushkin of the constitutional right to confront and cross-examine those that accused him of being incompetent to stand trial with the uttera purpose to involuntarily commit Anushkin to the illegal mandatory mental health treatment.

Due to Marybeth Welch's indifference by refusing to motion the court to re-present Anushkin's pending claims - 2832 cases PERK, in Anushkin's Rule 600 motion claims; and also in Anushkin's 03/28/2018 Omnibus motions claims, for fear of being prejudiced by Council's conflict of interest and intentional nepotism Anushkin drafted Attorney-client Agreement requesting Marybeth Welch to sign that she will not disclose confidential communications or sign legal documents to waive Anushkin's constitutional rights without his consent.

By refusing to sign the Attorney-client Agreement Council showed she cannot be trusted to represent Anushkin without prejudice, for that reason Anushkin requested for her to withdraw, for the Court to appoint another counsel to supervise Anushkin. Requested ~~counsel~~ ^{sup} NSA psychiatric examination. E.

(3) Counsel's Conflict of Interest for illegally
Waiving Anushien's Requested Counsel
Supervised psychiatric Examination in
Nowistown State Hospital (NSH):

Base on the provisions of The Law:
 Mental Health Procedure Act: 50 P.S. 7403 (c)
 Anushien's Constitutional Right to Counsel
 supervised psychiatric Examination was
 illegally waived by Counsel: Marybeth Welch
 after she was told on 10/27/2019 that her
 services as a Counsel were no longer needed.
 12/11/2019 Court Hearing will show an
 evil collaboration between the district attorney,
 Marybeth Welch and four of NSH's psychiatrists
 Dr. Tunde and Dr. Thompson, who conspired
 to testify against Anushien for Judge Coll to
 terminate Anushien's NSH treatment with the
 uttermost purpose to prevent Anushien from
 having a supervised psychiatric Examination to
 produce a vital impeachment, clear and
 convincing evidence to show that he
 was illegally committed to treatment with
 a fabricated incompetency report. to be
 able to sue the Court based on deliberate
 indifference.

Fully aware that the Court of common pleas is operating as a tribunal without jurisdiction on both of Anushien's cases; for intentionally failing to motion the Court to correct the apparent-jurisdictional errors in the record, Per intentionally circumventing Anushien's plans to be freed from illegal detention/institutionalization. Marybeth Welch has showed conflict of interest and deliberate ineffectiveness to prejudice Anushien.

WHEREFORE, Anushien respectfully request the Court to withdraw Marybeth Welch and to appoint a new Counsel.

Exhaustion of ALL REMEDIES: By Raising the Mainwight v. Sykes Claims all Anushien pending motions claims are procedurally defaulted by the Court through "illegal stay of Criminal proceedings". Should the Court fail to appoint a new Counsel, this change of motion claims should be considered Anushien's exhaustion of all Remedies to take his cases to the Federal Courts Per Criminal and Civil Remedies.

Date: 12/13/2019

Respectfully Submitted
Anthony Anushien
 Anthony Anushien
 Norristown State Hospital

Anthony Anushiem
Delaware County Prison
Inmate No. 14006881
P. O. Box 23A
Thornton, PA 19373
Appellant.

Anthony Anushiem
Norristown State Hospital
1001 Stengene Street
Norristown, PA 19401
March 18th, 2020

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY
MEDIA, PA 19063

COMMONWEALTH OF PENNSYLVANIA
Appellee

Vs.

Docket Nos. CP-23-CR-2832-2014 &
CP-23-CR-7434-2014

ANTHONY ANUSHIEM
Appellant

Anushiem's Motion for Change of venue:

Filed in open
court
3/13/20

1. I, Anthony Anushiem humbly requests for change of venue because it is apparently clear in the court record that Anushiem will never receive the constitutionally guaranteed "Fair justice".
2. The Delaware County court officials especially the judges are morally corrupted, hateful racists unduly influenced by the appearance of the impropriety of the Sims' family lawyer (one of the attorneys for the commonwealth in the common pleas court) that caused Anushiem to suffer selective-prosecution for intentional denial of all the benefits of the equal protection rights (violation of the confrontation rights); and
3. Have caused these reported judges to commit intentional prosecutorial errors leading to falsifications and tampering of records with the ulterior purpose to prejudice Anushiem;

4. Also have not only caused Anushiem to suffer constructive denial of effective assistance of counsels all through these cases proceedings; but also
5. Have caused the commonwealth's intentional failure to exercise due diligence that has
6. Caused Anushiem to suffer illegal detention from 2014 to 2017 and from 2017 to present the illegal mental health treatment without the due process of the law since the court was operating as a tribunal without jurisdiction on both of these reported case and because of the partiality and unfairness of the Delaware county court officials Anushiem is requesting for change of venue to the United states District Court of Philadelphia

"This appellate court must exercise supervisory power over the subordinate (Delaware court of common pleas) for the purpose of seeing that it have not exceeded its jurisdiction and that the proceedings, as they appear of record have been according to law ---since it is of vital importance to the due administration of justice that every tribunal vested with judicial functions should be confined strictly to the exercise of those powers with which it has been by law entrusted"

Schlesinger Petition, 367 Pa. 476, 81 A.2d 316 (1951)

7. Anushiem's Confrontation rights in the MJ-32133-CR-000176-2014 initial case was violated:

Caused by the undue influence of the appearance of impropriety of the (Sims' family lawyer) visiting female attorney for the commonwealth from the common pleas court who through criminal conspiracy and evil collaboration between the judge, district attorney and the counsel caused Anushiem to suffer selective-prosecution for intentional denial of all the benefits of the equal protection rights to defend himself. The record will show partiality because not only did Judge

Karapalides obtained only the plaintiff's testimony as a solemn declaration in violation of Anushiem's confrontation rights but Judge Karapalides refused Anushiem of his constitutional rights to present evidence, witness, testimony and to cross-examine the prosecutor's witness on matters of credibility. Due to the blatant conflict of interest in the district court the commonwealth intentionally failed to sustain its burden to (prove the "mens rea") establish the prima facie case of guilt and this divested the court of common pleas of the subject matter jurisdiction to proceed in the CP-23-CR-0002832-2014 case. (See details in Judge Karapalides' Interrogatories) "Testimony given at pretrial proceedings where the accused did not have the benefit of cross-examination is not admissible at trial" Coleman v. Alabama, 399 U.S. 1, 90 S.Ct. 1999, 26 L. Ed. 2 387(1970)

8. The Court of Common Pleas Illegally Proceeded in the CP-23-CR-0002832-2014 case as A Tribunal Without Jurisdiction:

Information was defective: The Sixth Amendment of United states constitution guarantees "Fairness" for the subject matter jurisdiction to exist. Due to the existence of the "ex parte" affidavits in the information the trial court/Judge Nilon Jr., was fully aware that it was divested of the subject matter jurisdiction to proceed but unduly influenced by the appearance of impropriety not only did Judge Nilon Jr., intentionally ignored the jurisdictional errors in the record but he also intentionally committed prosecutorial errors. "The court must analyze whether potential substantial prejudice to defendant's right inheres in the particular confrontation and the ability of the counsel to help avoid that prejudice" Coleman v. Alabama, 399 U.S. 1, 90 S.Ct. 1999, 26 L. Ed. 2 387(1970)

(i) Judge Nilon Jr., Illegally waiving Anushiem's effective assistance of counsel rights when he bypassed Anushiem's change of counsel motion claims without any motion hearing in the record; and

(ii) Judge Nilon Jr., also illegally conducted a partial jury selection: Allowing counsel Anushiem reported to be burdened with conflict of interest to deny Anushiem of all his choice jurors;

(iii) Illegal Waiver of the Pre-Sentence Investigation and Report: By this counsel's suggestion Judge Nilon Jr., illegally waived the pre-sentence investigation and report to illegally admitted the set forth "ex parte" affidavits he failed to satisfy himself that a factual basis existed for his 08/27/2014 criminal conviction and judgment of sentence;

(iv) Judge Nilon Jr., Showed Vindictiveness against Anushiem for collaterally attacking his illegal criminal conviction and judgment of sentence: Judge Nilon lacks professional integrity by showing vindictiveness against Anushiem during the 2832 case's post-conviction proceedings because by *for collaterally attacking his illegal criminal conviction*

(a) Misapplication of the Unrelated Piscanio Principles judge Nilon not only illegally waived Anushiem's right to effective assistance of counsel when he dismissed Anushiem's change of counsel claims without any motion hearing. Because Anushiem's case was not on appellate review or on appeal with any higher court, the Piscanio principles does not apply. Due to the superiority of the higher courts the Piscanio principles forbids defendants from representing those claims (in the lower courts) that are already under higher court's review. The Supreme court laid down Principles for dealing with pro-se petitions can be found in the

Commonwealth v. Gonzalez, 402 Pa. Super.60; 587 A.2d 786 (1991); Commonwealth v. Ellis, 398 Pa. Super. 538; 581 A.2d 595 (1990); and in Commonwealth v. Jettis (on both the state and the federal court cases) states that:

"Whenever a defendant (who is represented by counsel) sends a pro-se petition the proper procedure is to forward the petition to the counsel, that the court should take no further actions. And that if the pro-se petition raises claims of counsel ineffectiveness that the court should direct the (reported) counsel to petition the court to re-present the defendant's counsel ineffectiveness claims for the court to review, to decide whether the defendant really needed the appointment of new counsel".

(b) Judge Nilon Jr., also illegally Waived Anushiem's right to impartial judge by misapplication of the Piscanio principles when he dismissed Anushiem's motion for the court to recuse itself with claims requesting him to remove himself from the case based on his intentionally committed prosecutorial errors during the 2832 case's pretrial and trial proceedings;

(c) Illegal Substitution of Judges: Judge Nilon imposed into Anushiem's 7434 pretrial case in the mental health court division (Judge Coll) to intercept and dismiss Anushiem's motion claims with the ulterior purpose not only illegally stay all criminal proceedings with the alleged incompetency to stand trial in order to procedurally default all Anushiem's pending claims but also hold Anushiem indefinitely in involuntary servitude in order to prevent him from receiving his requested state guaranteed reliefs;

(d) Judge Nilon Jr., also illegally dismissed Anushiem's PCRA/Habeas Corpus petition claims not only in violation of Anushiem's effective assistance of counsel rights but also without holding any motion hearing as required by the law. See details in Judge Nilon's interrogatories.

9. The Commonwealth lacked the Authority and Legal Status to Indict the Alleged

Charges of the MJ-32133-CR-000415-2014 case based on the 2832 case's illegal criminal conviction:

The MJ-32133-CR-000415-2014 case's alleged charges was the "Poisoned Fruit of the Evil Tree" because the 2832 case's illegal criminal conviction and the unlawful judgment of sentence do not accord the commonwealth of the authority or legal status to indict the charges based on the alleged violation of the 2832 case's illegal criminal conviction. When the case was re-assigned to the Common pleas court # Judge Mallon ignored the invalidity of the CP-23-CR-0007434-2014 case's alleged charges to illegally proceed in violation of the court's jurisdiction.

10. Judge mallon Intentionally Committed Legal Malpractice: The court of common

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pleas/Judge Mallon in the CP-23-CR-0007434-2014 case not only failed to dismiss the alleged charges with prejudice but unduly influenced by the appearance of impropriety not only committed legal malpractice by falsification of the docket entries of 04/16/2015 installed a fictitious counsel's name with ulterior purpose to re-appoint the counsel Anushiem reported to be burdened with conflict of interest to intentionally waive Anushiem's constitutional right to effective assistance of counsel which caused egregious delay till the alleged charges tolled its statute of limitation but Judge Mallon also

11. 10/13/2015 original docket entries (see the attachments) will show that due to Anushiem's challenges to the illegal counsel appointment and based on the counsel's conflict of interest (purposeful ineffectiveness) that Rule 600 motion hearing was re-scheduled for 10/27/2015 (based on appointment of a new counsel) and that because the delay was caused by the court Anushiem refused to sign Rule 600 waiver forms

12. Illegal Waiver Of Anushiem's Speedy Trial Rights: Record evidence will reveal that Anushiem's speedy trial rights was violated by Judge Mallon when he illegally posted the 11/24/2015 "Criminal Notice Trial 12/14/2015" without conducting (the re-scheduled 10/27/2015) Rule 600 motion hearing mandated under Rule 600(E). Base on Judge Mallon's legal malpractices for falsification of record, illegal appointment of counsels and for illegally waiving Anushiem's speedy trial rights on 11/24/2015, Anushiem on 12/09/2015 motioned the court to recues itself requesting Judge Mallon to removed himself from the case. On 12/17/2015 Judge Mallon was removed from the case.

13. Judge Mallon Showed Vindictiveness Against Anushiem: The attached docket entries of 2018 will reveal that after his removal from the case that Judge Mallon illegally imposed into the case now in the Mental Health Court in 2018 to tamper with the docket entries and to

install a negative information Item #7 into the 10/13/2015 docket entries with the intent to show that he dismissed Anushiem's Rule 600 motion claims based on defendants testimony. The question whether testimony obtained from the defendant without counsel (after the court has been re-scheduled for appointment of a new counsel) should be illegally admitted to dismiss his Rule 600 motion claims is really preposterous. See details in Judge Mallon's Interrogatories.

14. Illegal Cases Transfer By Judge Pegano: Fully aware that the court was operating as a tribunal without jurisdiction Also unduly influenced by the appearance of impropriety of the Sims' family lawyer and without correcting the jurisdictional errors for which judge Mallon was removed from the case, and without conducting a Rule 600 motion hearing Judge Pegano not only illegally transferred Anushiem's cases to the mental health court division by admitting a fabricated incompetency report (Anushiem was not evaluated by the court's psychiatrist), when the alleged charges the court intend to go to trial(for which Anushiem was to receive treatment) has tolled its statute of limitation, but also illegally ordered Anushiem's jail transfer (when the court has not yet conducted the incompetency hearing to determine whether Anushiem really deserve mental health treatment) from the general jail population to the segregation of the maximum security with deliberate indifference to cause Anushiem to suffer cruel and unusual punishment. See details in Judge Pegano's Interrogatories.

15. Illegal Involuntary Commitment Order: Judge Coll (Mental Health Court) not only was fully aware that the court was operating as a tribunal without jurisdiction (because the alleged charges is poisoned fruit of illegal criminal conviction) but also fully aware that Anushiem's Rule 600 motion claims were still pending, unduly influenced by the appearance of impropriety like the other judges instead of conducting Rule 600 motion hearing illegally conducted the incompetency hearing in violation of Anushiem's speedy trial rights and also in violation of Anushiem's

confrontation rights in the mental Health Procedure Act: 50 P.S. 7304(C) and subsections 7402(b) and (d). Record will also that Judge coll illegally admitted a fabricated incompetency Report (which clearly stated that the court psychiatrist: DR. Lazaroff did not evaluate Anushiem) to sustain the "involuntary Order" with ulterior purpose to illegally commit Anushiem to the mandatory mental health treatment at Norristown State Hospital (NSH) with an illegal "stay of proceedings" to prevent Anushiem from receiving reliefs from his pending 2832 case's PCRA motions and from having the court to conduct a Rule 600 motion hearing based on Anushiem's pending Rule 600 motion claims to be released from illegal detention and illegal mental health treatment. See details in Anushiem's Interrogatories against Judge Coll.

16. Norristown State Hospital (NSH) Lack of Legal Authority to Admit Anushiem for Treatment:

NSH was unduly influenced by the court of common pleas, because the blatant conflict of interest caused NSH to intentionally abuse its professional standards and in violation of the mental health Procedure Act: 50 P.S. 7402 illegally admitted Anushiem because the incompetency report clearly showed that

(i) The Involuntary Order of commitment from the court was sustained by a Fabricated Incompetency Report: NSH's facility director was fully aware that Anushiem was illegally committed to NSH because not only was the alleged charges tolled its statute of limitation but also Anushiem was not evaluated by the commonwealth's psychiatrist.

50 P.S. 7402(b) requires the court to be certain that involuntary treatment will provide the defendant with capacity to stand trial, and due to the existence of the fabricated incompetency report the NSH facility director was fully aware that the court did not sustain its burden of proving that Anushiem was incompetent to stand trial with a clear and convincing evidence because Dr. Lazaroff in that fabricated incompetency report stated that

Anushiem told him to "tell them (the court), I will not do it (submit to psychiatric evaluation) and then exited the visitation room"

Anushiem intentionally refused to submit to psychiatric evaluation not only because the charges the trial court intend to go to trial has tolled its statute of limitation but also because he wanted counsel present during the psychiatric evaluation;

(ii) The fabricated Incompetency Report was Issued in Violation of Anushiem's Effective Assistance of Counsel Rights: because Dr. Lazaroff also stated in the incompetency report that he knew Anushiem was without counsel representation "I fired my lawyer" and was waiting for the court to appoint a new counsel. Anushiem's right to be represented during psychiatric evaluation was violated when Dr. Lazaroff presented a fabricated incompetency report to the court without actually conducting the psychiatric evaluation and also without any written or signed consent from Anushiem to do so.

17. The NSH facility director Illegally Proceeded in violation of the Mental Health Procedure Act: 50 P.S. 7402(e) pertaining to conduct of psychiatric examination requires that:

7402(e)(1) It shall be conducted as an outpatient examination and that:

7402(e)(2) It shall be conducted by at least one psychiatrist and may relate both

(i) Competency to proceed and to (ii) Criminal Responsibility for the crime charged.

NSH director not only knew that the incompetency report was fabricated but she also knew that Anushiem lacked criminal responsibility for the offense charged (due to the tolling of the statute of limitation on the alleged charges) for which the court intend to go to trial because Anushiem was arrested on 09/04/2014 when the alleged charges expired on 09/03/2015, Anushiem was illegally admitted into NSH on 06/14/2017 (in violation of 7304(c)(6) during the pendency of Anushiem's Rule

600 motion claims), two years after the tolling of the statute of limitation on the alleged charges Anushiem was illegally admitted to receive treatment.

18. NSH Intentionally Committed Medical Malpractice: NSH was unduly influenced by the impropriety of the court and in violation of the Mental Health Procedure Act: 50 P. S. 7402(b) and (e) committed medical malpractice to administer illegally prescribed psychotic medication based on the court's psychiatrist's recommendation that Anushiem was suffering from paranoia without actually conducting its own psychiatric examination. Based on P.S. 7402(e)(3) Anushiem not only refused to give consent for the NSH facility to force medications on him but also requested a counsel supervised psychiatric examination for diagnosis of his mental status the purpose is not only to prove intentional prejudice from both the court and NSH that he was illegally committed to receive treatment, but also to present a vital impeachment evidence against the fabricated incompetency report.

19. Anushiem was denied of his request for a counsel supervised psychiatric examination. The attached change of counsel motion claims will not only reveal Anushiem's struggles with the court and NSH for a counsel supervised psychiatric examination but will also show that when the court sent a counsel burdened with conflict of interest was sent by the court who connived with the NSH psychiatrists to illegally testify in the court for Judge Coll to terminate Anushiem's NSH treatment with the ulterior purpose to prevent him from getting his requested counsel supervised psychiatric examination in which Anushiem intended to present a vital evidence of his competency to prove intentional prejudice/cruel and unusual punishment of illegal detention and unlawful mental health

treatment. Also see Anushiem's Interrogatories against Norristown State Hospital.

20. Falsification and Tampering of the Docket entries:

After its investigations and by comparing the attached docket entries of A 06/30/2017; B 09/05/2018 with C 02/03/2020 you will find out that the court officials acted in concert to falsify not only to installed negative information into the docket entries of 10/13/2015 but also to illegally tamper with the court record by deleting vital information from the original docket entries of 10/13/2015 with ulterior purpose to illegally waive Anushiem's speedy trial rights and to illegally proceed to trial in violation of the court's jurisdiction.

(a) The original docket entries of 10/13/2015 up till 2017 will not only reveal that Anushiem refused to sign the Rule 600 waiver form and did not relinquish his speedy trial rights; but will also show that

(b) Rule 600 motion hearing was re-schedule from 10/13/2015 to 10/27/2015 based on appointment of a new counsel;

(c) After investigation you will also find out that the original docket entries of 10/13/2015 A and B was tampered by the court in 2018 to install a negative information item # 7 an illegal court order from Judge Mallon "Order Denying Deft's pro se Motion to Dismiss Pursuant to Rule 600 and the Testimony of 10/13/2015"

The questions whether Anushiem's Rule 600 motion claims should be illegally dismissed after the motion hearing was re-scheduled and whether the court should admit any testimony against a defendant without counsel is really preposterous.

(d) You will also find the illegal Rule 600 Waiver Form installed to waive Anushiem's speedy trial rights which he refused to sign.

COURT OF COMMON PLEAS OF DELAWARE COUNTY

DOCKET

Docket Number: CP-23-CR-0007434-2014

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

Page 10 of 15

v.

Anthony Anushiem

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
<u>Service To</u>	<u>Service By</u>	<u>Issue Date</u>	<u>Service Status</u>
1	10/13/2015		Mallon, Gregory M.
Criminal Notice Trial 12/14/15 @ 9:00 am; Crt Rm 1; Judge Mallon			
2	10/13/2015		Mallon, Gregory M.
Criminal Notice Motion 10/27/15 @ 9:00 am; Crt Rm 1; Judge Mallon			
3	10/13/2015		Anushiem, Anthony
Waiver of Rule 600 and Speedy Trial Rights Filed			
4	10/13/2015		Mallon, Gregory M.
Hearing on Motion Held			
Hearing on motion held			
CW Geoff Paine			
DF Brian Gondek			
Deft puts objection to court appointed attorney on record			
Arguments heard			
J denies motion on court appointment			
Deft puts missing discovery on record			
Arguments heard			
Paperwork given to deft			
J denies motion on missing paperwork			
Deft puts retraction statements on record			
Arguments heard			
J rules attorney stays on record			
J holds Rule 600 hearing			
J changes his ruling			
J will re-appoint new counsel			
CNF Rule 600 hearing 10/27/15 (deft refused to sign)			
CNF Trial 12/14/15 (deft refused to sign)			
Waiver of Rule 600 (deft refused to sign)			
Hearing adjourned			
1	10/16/2015		Mallon, Gregory M.
Psychiatric Evaluation Ordered			
Risk Assessment			
1	10/23/2015		Gondek, Brian David
Motion to Withdraw as Counsel			

Printed: 06/30/2017

CPCMS 9982

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

COURT OF COMMON PLEAS OF DELAWARE COUNTY

DOCKET

Docket Number: CP-23-CR-0007434-2014

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

Page 10 of 16

v.

Anthony Anushiem

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
<u>Service To</u>	<u>Service By</u>		
<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
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Criminal Notice Motion 10/27/15 @ 9:00 am; Crt Rm 1; Judge Mallon			
3	10/13/2015		Anushiem, Anthony
Waiver of Rule 600 and Speedy Trial Rights Filed			
4	10/13/2015		Mallon, Gregory M.
Hearing on Motion Held Hearing on motion held CW Geoff Paine DF Brian Gondek Deft puts objection to court appointed attorney on record Arguments heard J denies motion on court appointment Deft puts missing discovery on record Arguments heard Paperwork given to deft J denies motion on missing paperwork Deft puts retraction statements on record Arguments heard J rules attorney stays on record J holds Rule 600 hearing J changes his ruling J will re-appoint new counsel CNF Rule 600 hearing 10/27/15 (deft refused to sign) CNF Trial 12/14/15 (deft refused to sign) Waiver of Rule 600 (deft refused to sign) Hearing adjourned			
7	10/13/2015		Mallon, Gregory M.
Order Denying Deft's pro se Motion to Dismiss Pursuant to Rule 600 and the Testimony of 10/13/2015			
1	10/16/2015		Mallon, Gregory M.
Psychiatric Evaluation Ordered Risk Assessment			

COURT OF COMMON PLEAS OF DELAWARE COUNTY

DOCKET

Docket Number: CP-23-CR-0007434-2014

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

Page 11 of 18

v.

Anthony Anushiem

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
2	10/13/2015		Mallon, Gregory M.
Criminal Notice Motion 10/27/15 @ 9:00 am; Crt Rm 1; Judge Mallon			
3	10/13/2015		Anushiem, Anthony
Waiver of Rule 600 and Speedy Trial Rights Filed			
4	10/13/2015		Mallon, Gregory M.
Hearing on Motion Held			
7	10/13/2015		Mallon, Gregory M.
Order Denying Deft's pro se Motion to Dismiss Pursuant to Rule 600 and the Testimony of 10/13/2015			
1	10/16/2015		Mallon, Gregory M.
Psychiatric Evaluation Ordered			
1	10/23/2015		Gondek, Brian David
Motion to Withdraw as Counsel			
2	10/23/2015		Mallon, Gregory M.
Order Granting Motion to Withdraw Counsel and Appointing a new Counsel			
Goldberg, Andrew			
10/23/2015	First Class		
Paine, Thomas Geoffrey			
10/23/2015	Interoffice		
3	10/28/2015		Delaware County Court Administration
Criminal Notice Form Filed/Notice of Status Hearing on 11-19-15 @ 9:00 am, Crtm #1, Judge Mallon			
1	10/30/2015		Gondek, Brian David
Petition for Compensation and Reimbursement of Expenses			
1	11/18/2015	11/17/2015	Mallon, Gregory M.
Order for Payment of Court Appointed Counsel			
Gondek, Brian David			
11/18/2015	First Class		
1	11/24/2015		Mallon, Gregory M.
Criminal Notice Trial 12/15/15 @ 9:00 am; Crt Rm 1; Judge Mallon			

CPCMS 9082

Printed: 02/07/2020

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

21. The record evidence of the attached 2020 docket entries will also show intentional prejudice because not only did the court officials illegally deleted the details of the 10/13/2015 original docket entries with ulterior purpose to conceal the truth that Anushiem's Rule 600 motions claims are still pending without the law mandated Rule 600 motion hearing and that the court is without jurisdiction to proceed since 10/13/2015 in violation of Pa. R. Crim. P. 600(E), and also that the NSH illegal treatment is in violation of Anushiem's speedy trial rights. "Discretion is abused when the cause pursued represents not merely an error of judgment but where judgment is manifestly unreasonable or where the law is not applied or where record shows that the action is a result of partiality, prejudice, bias or ill-will" United states v. Armstrong, 517 U.S. 456 (1996)

"A court cannot under its power of construction supply omissions in a statute, especially where it appears that the matter may have been intentionally omitted --- to result in construction inconsistent with the manifest intent of the general assembly"

See the Statute Construction Act of 1992, Pa. C.S. Section 1921(b)

"An act of assembly which imposes penal sanctions for victims of its provisions must be strictly construed"

1 Pa. Stat. Ann. Tit. 1 section 1928: Com. v. Kowalek, 436 Pa. Super. 361, 647 A.2d 948 (1994)

22. Anushiem's Pending Petition Claims are Procedurally Defaulted Intentionally by the court: Due to the intentional violation of Anushiem's speedy trial rights, the court illegally used the state administrative procedure and with the involuntary order placed an illegal stay of proceedings based on the falsely alleged "incompetent to stand trial" all Anushiem's pending petitions claims has been procedurally defaulted

(i) Anushiem's 2832 case's PCRA/Habeas Corpus Claims; (ii) Anushiem's Pending Rule 600 motions claims and also (iii) Anushiem's Omnibus petition claims of 03/28/2016. The state administrative procedure was illegally used by the court not only to prevent Anushiem from receiving his requested state guaranteed reliefs but with deliberate indifference to illegally hold Anushiem indefinitely in illegal detention and illegal mental health treatment since 2014 without the due process of the law.

23. Anushiem's request for Jurisdiction & Venue is appropriate in the United states district Court because Anushiem is preparing to file a writ of habeas corpus to include a section 1983/ Bivens Action for civil actions authorized by 42 U. S. C. 1983 to redress deprivation (of freedom) , under color of state law, of rights secured by the constitution of the united states.

24. United States district Court of Philadelphia has jurisdiction under 28 U.S.C. Sections 1331 and 1334(a)(3); 2201 and 2202; and also under 2283 and 2284 empowered by Rule 65 of the Federal Rule of civil Procedure and with supplemental jurisdiction under 28 U.S.C. Section 1367 because the events given rise to these claims occurred under its jurisdiction in Delaware county and Montgomery county in this state of Pennsylvania.


The unfairness and partiality of these reported court officials (Judges: Karapalides, Nilon Jr., Mallon, Pegano and Coll) has been reported not only to the president judge but also to the Delaware county District Attorney: John Whelan. See the Certificate of service of Anushiem's Rule 600 motions; Anushiem's 03/28/2016 Omnibus motion and Anushiem's 2832 case's PCRA petitions.

24. WHEREFORE, based on these issues raised Anushiem now humbly requests this Delaware court of common pleas pursuant to 42 PA. C. S. A section 5329 for change of venue to permit all procedure for service and to transfer all documents relating to service

of process to the united states district Court of Philadelphia to assume quassi-original jurisdiction not only because it is entitled to do so by jurisdiction but also because Anushiem's last known resident address was in north Philadelphia.

Date: March 13, 2020

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Anushiem', is written over a solid horizontal line.

ANTHONY ANUSHIEM

CC: Copies has been sent to the

United States District court

601 Market Street Room 2609,

Philadelphia PA 19101

Certificate Of service:

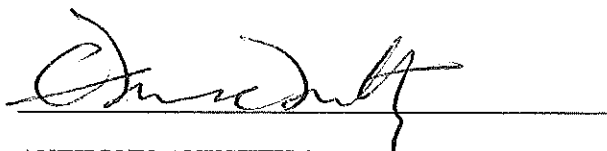
I, Anthony Anushiem hereby certify today (March 13, 2020) that a true and correct copy of the foregoing petition for change of venue was presented to the Delaware court of common pleas during the court proceedings to be distributed by the court clerk to the following individuals pursuant to Pennsylvania Rule of Criminal Procedure 576:

1. Judge Michael F.X Collaboration -Mental Health court
2. John Whelan – Delaware county district Attorney
3. Court Administrator -
4. President Judge -

Please consider this document filed pursuant to

Pennsylvania Rule of Criminal procedure 576(A)(4)

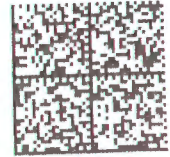
Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Anushiem', is written over a horizontal line.

ANTHONY ANUSHIEM

Anthony Amishiem.

ENVK70
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE
NORRISTOWN STATE HOSPITAL
1001 STERIGERE STREET
NORRISTOWN PA 19401-5397



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United States District Court
601 Market Street Room 2609
Phil, PA 19101.